

COMMENTS AND RESPONSE

In view of the comments below, Applicants respectfully request that the Examiner reconsider the present application including rejected claims, as amended, and withdraw the claim rejections.

Claim Objections

The Examiner has objected to claims 7 and 14 as being dependent upon a rejected base claim, but has indicated that they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

By this response Applicants have amended claim 7 to incorporate the limitations of claim 1 from which it depends, and have amended claim 14 to incorporate the limitations of claim 8 from which it depends. This places claims 7 and 14 in a condition that the Examiner has indicated is allowable.

Based on at least the arguments given above, Applicants therefore respectfully request that the Examiner withdraw the objection of claims 7 and 14 as being dependent upon a rejected base claim.

Claim Rejections – 35 USC § 103

The Examiner has rejected claims 1, 4-6, 8, 9, 11-13, and 15-17 under 35 U.S.C. § 103(a) as being allegedly unpatentable over United States Patent No. 6,556,621 to Richards et al. (“Richards”) in view of United States Patent No. 6,614,864 to Raphaeli et al. (“Raphaeli”) and United States Patent No. 5,289,476 to Johnson et al. (“Johnson”).

By this response, the Applicants have cancelled claims 1 and 8, thus rendering moot this ground of rejection as it pertains to those claims.

Applicants have amended claim 15 to include means-plus function elements analogous to the apparatus elements of allowed claim 14. Just as the apparatus elements of claim 14 are not disclosed or suggested by the cited art, so too are the analogous means-plus-function elements not disclosed or suggested.

Applicants have amended claims 2, 5, and 16 to depend from allowed claim 7. These claims are therefore allowable for at least the reasons given above for claim 7. Claim 6 depends from claim 5 and is allowable for at least the reasons given above for claim 5.

Applicants have amended claims 9, 11, 12, and 17 to depend from allowed claim 14. These claims are therefore allowable for at least the reasons given above for claim 14. Claim 13 depends from claim 12 and is allowable for at least the reasons given above for claim 12.

Based on at least the arguments given above, Applicants therefore respectfully request that the Examiner withdraw the rejection of claims 1, 4-6, 8, 9, 11-13, and 15-17 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Richards in view of Raphaeli and Johnson.

Claim Corrections

By this response, Applicants also amend claim 13 to correct a clerical error. In particular, Applicants amend claim 13 to change the phrase “wherein a plurality of the correlation value comprises the correlation function” to read “wherein the correlation value comprises the correlation function.”

By this response, Applicants also amend claim 14 to correct a clerical error. In particular, Applicants amend claim 14 to change the term "first peak" to "first maximum" to avoid a problem of antecedent basis.

Since these changes are made simply to correct clerical errors and do not change the scope of the claims in any way, it should not limit the application of the doctrine of equivalents to these claims.

Conclusion

Accordingly, Applicants respectfully submit that the claims, as amended, clearly and patentably distinguish over the cited references of record and as such are deemed allowable. Such allowance is hereby earnestly and respectfully solicited at an early date. If the Examiner has any suggestions, comments, or questions, call are welcome at the telephone number below.

Although it is not anticipated that any additional fees are due or payable, the Commissioner is hereby authorized to charge any fees that may be required to Deposit Account No. 50-1147.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Brian C. Altmiller", written over a horizontal line.

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